

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Petitioner.

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STATE OF WASHINGTON.

Respondent.

Case No. C08-5622RJB/JKA

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **TRANSFERRED TO THE NINTH CIRCUIT AS A SECOND OR SUCCESSIVE PETITION.**
- (3) The clerk is directed to send copies of this Order to Petitioner, and to the Hon. J. Kelley Arnold **AND TO ADMINISTRATIVELY CLOSE THIS FILE.**

DATED this 2nd day of December, 2008.

Robert J. Bryan
ROBERT J. BRYAN
United States District Judge

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